



# Dispute Resolution Updates

SEAP Meeting

Ed Litteneker

Special Education Dispute Resolution Coordinator



***Supporting Schools and Students to Achieve***

SHERRI YBARRA, ED.S., SUPERINTENDENT OF PUBLIC INSTRUCTION

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# Foundations for Dispute Resolution



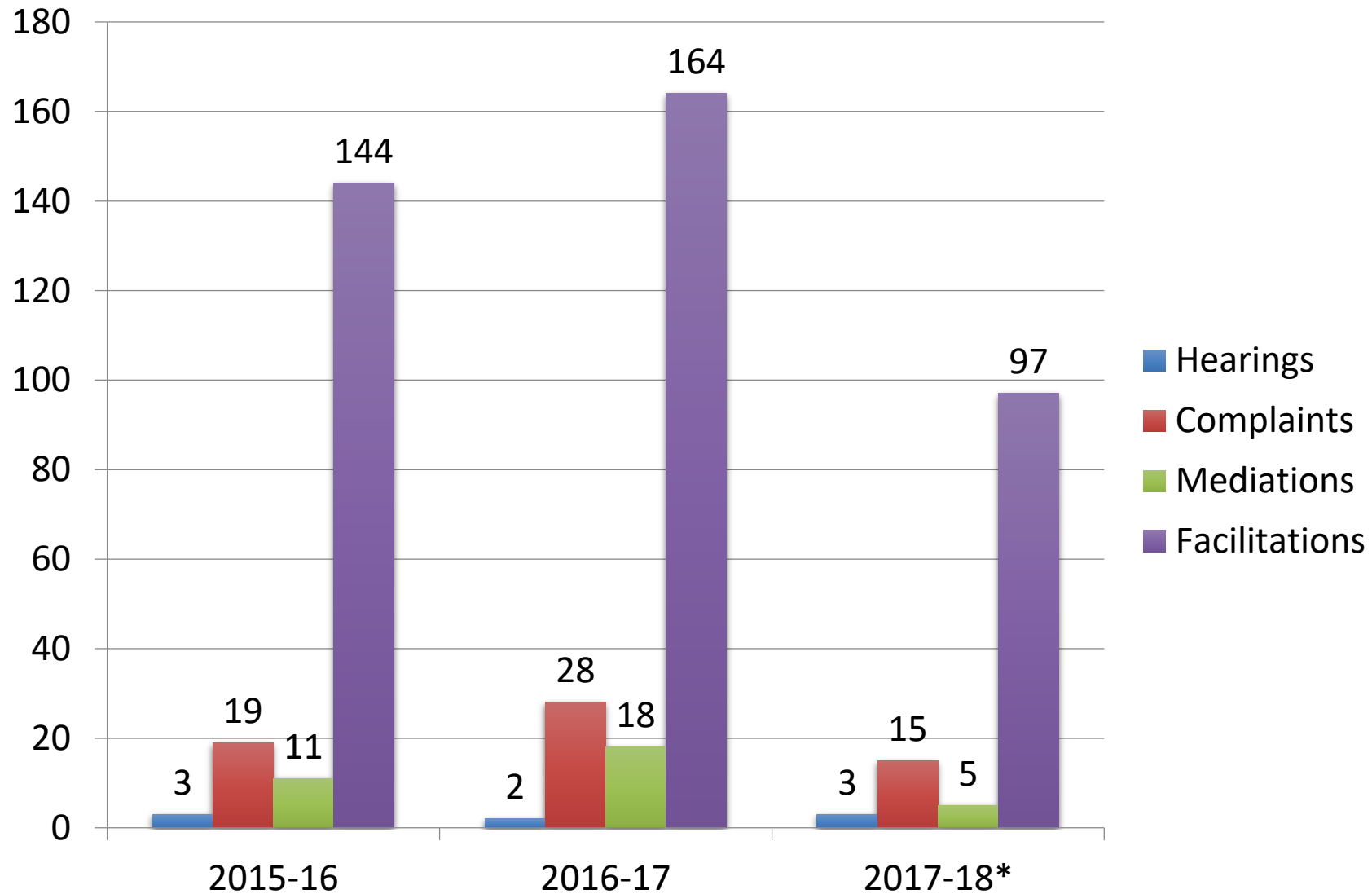
- Conflict provides opportunities.
- Perceptions of neutrality, fairness, and transparency are the currency of the office.
- Everyone deserves to be heard and understood.
- Conflict should be resolved at the lowest level appropriate.
- Good outcomes are child-centered and IDEA Compliant.

# Dispute Resolution Comparison Chart

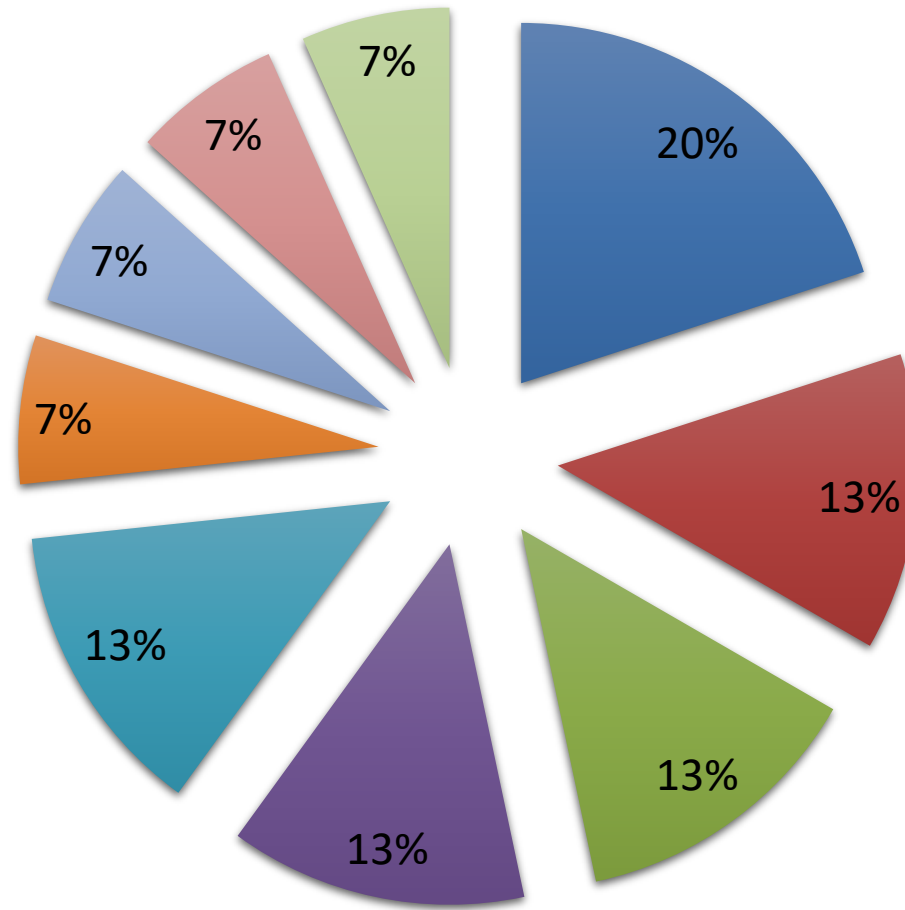


	IEP FACILITATION	INFORMAL CONFLICT RESOLUTION	MEDIATION	STATE ADMINISTRATIVE COMPLAINT	DUE PROCESS HEARING
<b>Who can initiate the process</b>	Parent or public agency, but must be voluntary for both	Parent or public agency, but must be voluntary for both	Parent or public agency, but must be voluntary for both	Any individual or organization including those from out of state	Parent or public agency
<b>Time limits</b>	None specified	None specified	None specified	One year from date of alleged violation	Two years from when the party knew or should have known of the alleged problem
<b>Issues</b>	Any issue related to the development of an IEP including related services and behavioral plans	Generally issues related to relationships, communication, or process between districts and parents	Any matter under IDEA part 300, including matters arising from a due process complaint (with some exceptions)	Alleged violations of Part B of IDEA or Part 300	Any matter relating to the identification, evaluation or educational placement or provision of a free appropriate public education (with some exceptions)
<b>Timeline to resolve issues</b>	Non specified, but must meet IEP annual deadlines	None specified	None specified	60 days from SDE's receipt of the complaint unless extension granted	No more 45 days from the end of the resolution period (maximum of 30 days). Public agency must convene a resolution meeting within 15 days of receipt of the complaint, unless parties agree to waive it, or agree to mediate (other factors may affect timeline)
<b>Who oversees process</b>	SDE Dispute Resolution assigns IEP Facilitator	SDE Dispute Resolution Coordinator or assigned conflict manager/mediator	SDE Dispute Resolution assigns mediator	SDE Dispute Resolution assigns Complaint Investigator	SDE Dispute Resolution assigns Hearing Officer
<b>Decision Makers</b>	IEP Team	Parties involved	Parties involved (agreements are legally binding)	Complaint Investigator and approved by SDE	Hearing Officer
<b>Cost Center</b>	SDE	SDE	SDE	SDE	Public Agency

# DR Comparisons 2015-2018



# Founded Complaint Allegations 2017-18



- Properly Implement the IEP?
- Provided Written Notice?
- Allow Parent Participation?
- Hold Annual Meeting Within 1 Year?
- Follow Initial Evaluation Procedures?
- Provide Measurable Goals in IEP?
- Were All Team Members Involved in Meetings?
- Provide Procedural Safeguards?
- Revise IEP to Address Lack of Progress?

# General Inquires



## Inquires from Parents:

- “Why isn’t the District listening to me?”
- “My child is not making progress”
- “My child is being bullied”

## Inquires from Districts:

- Transfer Students
- Discipline
- Parent Communication



# 2017-18 Facilitations



Number of facilitations: **97**

Number of cases with multiple meetings: **12**

Number of facilitations requested by:

Parents **55**

Districts **35**

Both **7**



# 2018 Projects



- Review the Idaho Special Education Manual
- Prepare training manuals and materials for complaint investigators and mediators
- Promote mediation services





# Questions?



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